

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

Crl.Rev.Pet.No. 1017 of 2001()

CRA.139/1995 of SESSIONS COURT, PALAKKAD
ST.1192/1994 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, PALAKKAD
.....

REVN. PETITIONER: APPELLANT/ACCUSED

1. FATHIMA USMAN
PUTHENKALATHIL HOUSE, KOTTAYI P.O.
PALAKKAD
NOW RESIDING AT ATHIKKAL
ORAMBALLAM, MANKARA AMSOM
PALAKKADU.

BY ADV. SRI.N.K.KARNIS
SRI.SAJI VARGHESE KAKKATTUMATTATHIL

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE

1. P.L.SUNNY, S/O.P.O.LONA
PALAKKARA HOUSE, KONIKKARA P.O.
TRICHUR DISTRICT.
2. STATE OF KERALA, REPRESENTED BY
THE DIRECTOR OF PUBLIC PROSECUTIONS
HIGH COURT OF KERALA, ERNAKULAM

BY ADV. SRI.SHEEJO CHACKO
BY ADV. SRI.M.MANOJ
BY PUBLIC PROSECUTOR SRI.C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 22/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R.UDAYABHANU, J

Crl.R.P..No.1017 of 2001

Dated this the 22nd day of August, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced as modified by the appellate court to pay a fine of Rs.5,000/- and in default, to undergo simple imprisonment for three months and also to pay a compensation of Rs.55,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure.

2. Suo motu revision was taken as it appeared that the sentence imposed by the appellate court is inadequate. Counsel for the revision petitioner/accused has only sought for modification of the sentence. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.55,000/- to the complainant and in default, to undergo simple imprisonment for three months. The revision petitioner is granted three months' time to pay the amount of

compensation. She shall appear before the Judicial First Class Magistrate Court-I, Palakkad on 20.11.2007 to receive the sentence.

The criminal revision petition is disposed of as above.

**K.R.UDAYABHANU,
JUDGE**

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ORDER

8th August 2007